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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/441,656 11/12/99 ELSEY

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EXAMINER

I. E. D.	
ART UNIT	PAPER NUMBER

2177
DATE MAILED:

08/01/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/441,656

Applicant(s)

ELSEY ET AL.

Examiner

Debbie M Le

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6, 8
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 recites the limitation "the user" "a user" in line 3 and 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 22-23, 25-28, 30-32, 33-39, 41-42, 45-48, 50-53, 55-56, 58-64, 66-67, 70-71 are rejected under 35 U.S.C. 102(b) as being anticipated by Brennan et al (US Patent 5,329,578).

As per claim 22, Brennan discloses a communication system for routing a call to a subscriber comprising:

An interface for receiving signals in establishing a communication connection with the user, one or more databases associated with the user being identified based on the received signals; a receiver for receiving from a user a request for taking an action

concerning a selected one of the databases through the established communication connection, the action being associated with an access right requirement; a processor for identifying an access right of the user concerning the selected database; a device for taking the action when the access right of the user meets the access right requirement (col. 12, lines 38-55, col. 13, lines 3-56);

As per claim 23, Brennan teaches wherein the database includes information concerning an individual (col. 8, lines 47-60).

As per claim 25-27, Brennan teaches wherein the action includes reading, editing, deleting the selected database (col. 13, lines 45-56).

As per claim 28, Brennan teaches wherein the communication connection includes a telephone connection (fig. 3a).

As per claim 33, Brennan teaches the provider includes an operator in a directory assistance center (col. 5, lines 58-67, col. 13, lines 3-16).

As per claim 42, Brennan teaches the communication service includes a voice communication, directory assistance service (col. 12-13, lines 64-16).

Claims 30, 41, 47, 55 are rejected by the same rationale as stated in independent claim 1 argument.

Claims 31, 34-39, 45-48, 50-53, 56, 58-64, 66-67, 70-71 have similar limitations as claims 23, 25-28, 33, 42; therefore, they are rejected under the same reasons.

Claim Rejections - 35 USC § 103

Art Unit: 2177

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 24, 29, 32, 40, 43-44, 49, 54, 57, 65, 68-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al (US Patent 5,329,579) in view of Murphy (US Patent 5,644,711)

As per claim 24, Brennan does not explicitly teach the database includes information concerning a group. However, Murphy teaches the database includes information concerning a group (fig. 4, col. 5-6, lines 60-4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brennan with Murphy to provide the data include information concerning a group because it would enable user to have wide access to a particular directory in order to exchange information.

As per claim 29, Brennan does not explicitly teach the communication connection includes an internet connection. However, Murphy teaches the communication connection includes an internet connection (fig. 2, col. 2, lines 40-55, col. 4-5, lines 49-4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brennan with Murphy to implement an internet connection because it would provide a user with more efficiencies in the way of communication.

As per claim 43, Brennan does not explicitly teach the database includes a directory. However, Murphy teaches the database includes a directory (fig. 4, col. 5-6, lines 60-4). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brennan with Murphy to provide the database containing a directory in order to allow user to navigate to their destination to obtain the information that they wish.

As per claim 44, Murphy teaches the communication service includes a directory assistance service (col. 2-3, lines 56-3)

Claims 32, 40, 49, 54, 57, 65, 68-69 have similar limitations as claims 24, 29, 43-44; therefore, they are rejected under the same reasons.

Conclusion

7. The prior art made of record, listed on form PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

If a reference *indicated as being mailed* on PTO-FORM 892 has not been enclosed in this action, please contact Macia Flecher whose phone number is (703) 305-4903 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debbie M Le whose telephone number is (703) 308-6409. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone numbers


Art Unit: 2177

for the organization where this application or proceeding is assigned are (703) 308-5357 for regular communications and (703) 308-5357 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Debbie Le
July 27, 2001



JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100